

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 2:09CR19-P-S**

**JOSEPH WILLIAMS**

**ORDER**

This cause is before the Court on a combined motion by defendant Williams' for continuance and by defense counsel Edward J. Bogen, Jr. to withdraw as counsel for said defendant [22]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for December 14, 2009. Counsel avers in the motion that the defendant has refused to communicate adequately with his attorney and has repeatedly maintained that he is unable to travel to Oxford because he was robbed several months ago. Counsel represents that, as a result, the attorney-client relationship has been irreparably damaged due to a lack of communication and cooperation; he therefore seeks leave to withdraw in order to permit defendant to retain new counsel. Aa continuance is necessary so that the Court can further explore and evaluate the circumstances underlying counsel's motion to withdraw. The government does not oppose the requested continuance.

These circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from December 14, 2009 until the new trial date to be set in this matter.

**IT IS, THEREFORE, ORDERED AND ADJUDGED that**

1. The Motion for Continuance is GRANTED;
2. That the trial of this matter is continued until Monday, February 22, 2010 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from December 14, 2009 until February 22, 2010 is excluded as set out above;
4. That the deadline for filing pretrial motions is February 1, 2010;
5. That the deadline for submitting a plea agreement is February 8, 2010.

SO ORDERED, this the 4<sup>th</sup> day of December, 2009.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE